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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF AGRICULTURE; FARMERS HOME ADMINISTRATION

Effective upon publication in the FEDERAL REGISTER, subparagraph (6) is added to paragraph (1) of § 6.111 as follows:

§ 6.111 *Department of Agriculture.* * * *

(1) *Farmers Home Administration.* * * *

(6) State Director.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, Mar. 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WIL C. HULL,
Executive Assistant,

[F. R. Doc. 53-9205; Filed, Oct. 29, 1953; 8:54 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter E—Account Servicing

[Administration Letters 285 (462) and 292 (462)]

PART 371—SECURITY SERVICING AND LIQUIDATIONS; OPERATING LOANS

WAIVERS OF LIENS (OTHER THAN LIENS ON REAL ESTATE) FOR BORROWERS RECEIVING LOANS UNDER COMMODITY CREDIT CORPORATION PROGRAM; AUTHORITY

Section 371.8 (c) is revoked and the introductory paragraph to § 371.8 (a) Title 6, Code of Federal Regulations (13 F. R. 9451) is revised to permit County Supervisors to delegate to Assistant County Supervisors authority to execute waivers, and to read as follows:

§ 371.8 *Waivers of liens (other than liens on real estate) for borrowers receiving loans under Commodity Credit Corporation program.* * * *

(a) *Authority.* County Supervisors are authorized to execute waivers of Farmers Home Administration liens on

property (other than real estate) in favor of the Commodity Credit Corporation, or its associate lending agencies, to enable borrowers indebted to the Farmers Home Administration to obtain Commodity Credit Corporation loans. County Supervisors may redelegate the authority to execute such waivers to Assistant County Supervisors provided such officials have had sufficient training and experience to exercise properly the authority. Such waivers may be executed provided:

(R. S. 161, sec. 6 (3), 50 Stat. 870, sec. 41 (1), 60 Stat. 1056; 5 U. S. C. 22, 10 U. S. C. 590w (3), 7 U. S. C. 1015 (1))

[SEAL] H. C. SMITH,
*Acting Administrator
Farmers Home Administration.*

OCTOBER 19, 1953.

Approved: October 27, 1953.

TRUE D. MORSE;
Acting Secretary of Agriculture.

[F. R. Doc. 53-9182; Filed, Oct. 29, 1953; 8:43 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations [Supp. 2]

PART 3—AIRCRAFT AIRWORTHINESS; RESTRICTED CATEGORY

SPECIAL PURPOSE OPERATIONS IN RESTRICTED CATEGORY AIRCRAFT

The purpose of this supplement is to clarify by amendment CAA policies and interpretations regarding special purpose operations in restricted category aircraft.

1. In § 8.30-1, paragraph (a) and introductory paragraph (b), published on December 23, 1950, in 15 F. R. 9230, are amended to read as follows:

§ 8.30-1 *Operating limitations (CAA policies which apply to § 8.30)—(a) General.* The special purpose operations authorized for the aircraft and the operating limitations prescribed in § 8.30 will be listed in accordance with the rules set forth in § 43.10-1 of this subchapter. The operating limitations prescribed in

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§§ 8.31 through 8.34 will also be prepared and listed at the time of issuance of the airworthiness certificate, which is issued by a CAA representative, as specified in § 8.20-1, and carried in the aircraft in accordance with § 43.10 (b) of this subchapter.

(b) *Agricultural aircraft.* The example of operating limitations given in subparagraph (1) of this paragraph, indicates the scope of the operating limitations which may be listed in accordance with § 43.10-1 of this subchapter for an aircraft certificated under this part and intended for agricultural operations such as spraying, dusting, seeding, and pest control. The CAA representative may modify these or prescribe additional aircraft limitations if he finds they are necessary for the safe operation of the aircraft and the protection of the public.

2. Section 8.31-1, published on December 23, 1950, in 15 F. R. 9230, is amended to read:

§ 8.31-1 *Waiver of operation limitations (CAA policies which apply to § 8.31)* If an operator desires to conduct special purpose operations in the areas described in § 8.31, using a restricted category aircraft, he should comply with the following procedures:

(a) *Application.* The applicant should obtain two copies of Form ACA-400, Application for Certificate of Waiver, from the local Aviation Safety District Office, and fill out both copies as follows:

(1) Type, or print in ink.
(2) Give complete information on items 1 through 7.

(3) Under item 3, insert "8.31" and describe the area. List all other sections of the Civil Air Regulations for which other authorization, permission or waiver is required, such as § 60.17 (b) of this subchapter for operation below minimum altitudes.

(4) Sign both copies of the completed application in the space provided on the reverse side for the applicant's signature.

(b) *Certificate of waiver or authorization.* After examining the application and the aircraft operation limitations, the CAA will issue a Certificate of Waiver or Authorization, Form ACA-663, where it is found in the public interest to allow the proposed operations. Where the operation conflicts with any state law or local ordinance or requires permission of local authorities or property owners, it

is the responsibility of the operator to obtain such permission.

(c) *Special provisions.* The certificate will contain such special provisions as the approving agent may deem necessary in the interest of safety. Examples illustrating such provisions are:

(1) A thorough inspection of the aircraft, engine, and special equipment shall be made prior to each day's operations.

(2) A planned course of action shall be followed with emphasis on selection of available emergency landing areas.

(3) A capable and experienced pilot holding at least a commercial rating will be used.

(4) Appropriate officials of the community involved shall be notified prior to beginning the operations.

(5) Air traffic control for the area involved shall be notified prior to the beginning of the operations.

(6) Any specific precaution deemed necessary for the particular area involved.

(7) Any specific precaution deemed necessary for the type of operation involved.

(d) *Duration.* The certificate will contain an expiration date which will allow ample time for completion of the operation.

3. Section 8.33-1, last sentence, published on December 23, 1950, in 15 F. R. 9230, is revised to read:

§ 8.33-1 *Passengers prohibited during special purpose operations (CAA interpretations which apply to § 8.33).* * * *

In such case, a charge may be made for the training in aircraft certificated under this part.

4. Section 8.34-1, paragraphs (a) and (b) published on December 23, 1950, in 15 F. R. 9231, are amended to read:

§ 8.34-1 *Operating limitations for multiple airworthiness certification (CAA policies which apply to § 8.34)*—

(a) *Operations limitations.* The operating limitations referred to in § 8.34 will be prescribed by the CAA representative at the time he issues the airworthiness certificate. The prescribed operating limitations should be displayed in the aircraft in accordance with the rules set forth in § 43.10-1 of this subchapter.

(1) The operating limitations for the restricted category operations will be designated as applicable to the restricted category and will be prescribed in accordance with § 8.30-1. Provisions will also be included covering the conversion of the aircraft from one category to another (see § 8.21-1 (c) (2)) and inspection of the aircraft prior to the carriage of passengers for hire. (See § 8.21-1 (e) (2).)

(b) *Conversion instructions.* The approved changes necessary to convert the aircraft from one category to the other as specified in § 8.21-1 (c) (2), are considered part of the operating limitations and should not be changed or amended without the approval by the CAA.

(Sec. 205, 52 Stat. 924, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, as amended, 1009, as amended; 49 U. S. C. 551, 553)

This supplement shall become effective November 15, 1953.

[SEAL]

F. B. LEE,

Administrator of Civil Aeronautics.

[F. R. Dec. 53-9197; Filed, Oct. 29, 1953; 8:51 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 19]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Aerospace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 600 is amended as follows:

1. Section 600.102 is amended by changing the caption to read: "*Amber civil airway No. 2 (Long Beach, Calif., to Umat, Alaska).*" and by changing the last portion to read: "*Bettles, Alaska, radio range station to the Umat, Alaska, radio range station.*"

2. Section 600.208 is amended by changing caption to read: "*Red civil airway No. 8 (Dayton, Ohio, to Newark, N. J.)*" and by changing last portion to read: "*the intersection of the southwest course of the Elmira, N. Y., radio range and the west course of the Williamsport, Pa., radio range; Williamsport, Pa., radio range station; Crystal Lake, Pa., nondirectional radio beacon to the Newark, N. J., radio range station.*"

3. Section 600.213 is amended to read:

§ 600.213 *Red civil airway No. 13 (Wheeling, W. Va., to Boston, Mass.)* From the Wheeling, W. Va., outer marker compass locator via the Clinton, Pa., nondirectional radio beacon; Butler, Pa., nondirectional radio beacon; Westover, Pa., nondirectional radio beacon to the Phillipsburg, Pa., radio range station. From the Wilkes-Barre, Pa., radio range station via the Stewart Field, N. Y., radio range station; Poughkeepsie, N. Y., radio range station; Hartford, Conn., radio range station; Providence, R. I., radio range station to the Bedford, Mass., nondirectional radio beacon.

4. Section 600.221 *Red civil airway No. 21 (Pittsburgh, Pa., to Boston, Mass.)* is amended by changing the first portion to read: "*From the intersection of the northeast course of the Pittsburgh, Pa., radio range and the west course of the Altoona, Pa., radio range via the intersection of the northeast course of the Pittsburgh, Pa., radio range and the north course of the Altoona, Pa., radio range; the Selinsgrove, Pa., nondirectional radio beacon to the Wilkes-Barre,*

Pa., radio range station." and by deleting the portion which reads: "From the Williamsport, Pa., radio range station via the Crystal Lake, Pa., nondirectional radio beacon to the Newark, N. J., radio range station."

5. Section 600.260 is amended to read:

§ 600.260 *Red civil airway No. 60 (Oakland, Calif., to Stockton, Calif.)*. From the Oakland, Calif., radio range station via the Stockton, Calif., radio range station to the intersection of the east course of the Stockton, Calif., radio range and a point at Lat. 37°54'35" Long. 120°45'20"

6. Section 600.277 is amended by changing the caption to read: "*Red civil airway No. 77 (Greensboro, N. C., to Millville, N. J.)*" and by changing the first portion to read: "From the Greensboro, N. C., radio range station via the Lynchburg, Va., radio range station; Richmond, Va., radio range station;"

7. Section 600.665 is added to read:

§ 600.665 *Blue civil airway No. 65 (Shuyak, Alaska, to Anchor Point, Alaska)* From the intersection of the north course of the Kodiak, Alaska, radio range and the south course of the Homer, Alaska, radio range to the intersection of the west course of the Homer, Alaska, radio range and the southwest course of the Kenai, Alaska, radio range.

8. Section 600.6006 *VOR civil airway No. 6 (Oakland, Calif., to Allentown, Pa.)* is amended between the Des Moines, Iowa, omnirange station and the Moline, Ill., omnirange station to read: "Des Moines, Iowa, omnirange station, including a south alternate; Iowa City Iowa, omnirange station, including a north alternate and also a south alternate via the intersection of the Des Moines omnirange 112° True and the Iowa City omnirange 252° True radials; Moline, Ill., omnirange station, including a south alternate;"

9. Section 600.6008 *VOR civil airway No. 8 (Long Beach, Calif., to Washington, D. C.)* is amended between the Des Moines, Iowa, omnirange station and the Moline, Ill., omnirange station to read: "Des Moines, Iowa, omnirange station, including a south alternate; Iowa City Iowa, omnirange station, including a south alternate via the intersection of the Des Moines omnirange 112° True and the Iowa City omnirange 252° True radials; Moline, Ill., omnirange station, including a south alternate and also a north alternate from the Des Moines omnirange station to the Moline omnirange station via the intersection of the Des Moines omnirange 071° True and the Moline omnirange 279° True radials;"

10. Section 600.6012 is amended by changing the caption to read: "*VOR civil airway No. 12 (Palmdale, Calif., to Philadelphia, Pa.)*" and by changing all before the Prescott, Ariz., omnirange station to read: "From the Palmdale, Calif., omnirange station via the intersection of the Palmdale omnirange 082° True and Daggett omnirange 257° True radials; Daggett, Calif., omnirange station; Needles, Calif., omnirange station; Prescott, Ariz., omnirange station;"

11. Section 600.6025 *VOR civil airway No. 25 (Paso Robles, Calif., to Ellensburg, Wash.)* is amended between the Oakland, Calif., omnirange station and the Red Bluff, Calif., omnirange station to read: "Oakland, Calif., omnirange station; intersection of the Oakland omnirange 330° True and the Ukiah omnirange 147° True radials; Ukiah, Calif., omnirange station, including a west alternate from the Oakland omnirange station to the Ukiah omnirange station via the Point Reyes, Calif., omnirange station; to the Red Bluff, Calif., omnirange station."

12. Section 600.6027 *VOR civil airway No. 27 (Santa Barbara, Calif., to Seattle, Wash.)* is amended between the Salinas, Calif., omnirange station and the Fortuna, Calif., omnirange station to read: "Salinas, Calif., omnirange station; intersection of the Salinas omnirange 319° True and the Point Reyes omnirange 162° True radials; Point Reyes, Calif., omnirange station, including an east alternate from the Salinas, Calif., omnirange station to the point of intersection of the San Francisco, Calif., omnirange 304° True and the Point Reyes omnirange 162° True radials via the San Francisco omnirange 159° True and 304° True radials; Ukiah, Calif., omnirange station; Fortuna, Calif., omnirange station;"

13. Section 600.6053 is amended by changing the caption to read: "*VOR civil airway No. 53 (Bristol, Tenn., to Madison, Wis.)*" and by changing all before the Indianapolis, Ind., omnirange station to read: "From the Tri-Cities, Tenn., omnirange station via the Lexington, Ky., omnirange station; Louisville, Ky., omnirange station; intersection of the Louisville omnirange 333° True and the Indianapolis omnirange 170° True radials; Indianapolis, Ind., omnirange station, including a west alternate from the Louisville omnirange station to the Indianapolis omnirange station;"

14. Section 600.6134 is added to read:

§ 600.6134 *VOR civil airway No. 134.* [Unassigned.]

15. Section 600.6135 is added to read:

§ 600.6135 *VOR civil airway No. 135 (Yuma, Ariz., to Las Vegas, Nev.)* From the Yuma, Ariz., omnirange station via the Blythe, Calif., omnirange station; Needles, Calif., omnirange station to the Las Vegas, Nev., omnirange station.

16. Section 600.6136 is added to read:

§ 600.6136 *VOR civil airway No. 136.* [Unassigned.]

17. Section 600.6137 is added to read:

§ 600.6137 *VOR civil airway No. 137 (San Bernardino, Calif., to Bakersfield, Calif.)* From the point of intersection of the Palmdale, Calif., omnirange 124° True and the Ontario, Calif., omnirange 038° True radials via the Palmdale, Calif., omnirange station; intersection of the Palmdale omnirange 292° True and the Bakersfield omnirange 159° True radials to the Bakersfield, Calif., omnirange station.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t., October 27, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-9198; Filed, Oct. 29, 1953; 8:52 a. m.]

[Amdt. 19]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedures Act would be impracticable and contrary to public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.102 is amended by changing the caption to read: "*Amber civil airway No. 2 control areas (Long Beach, Calif., to Umiat, Alaska)*"

2. Section 601.208 is amended by changing the caption to read: "*Red civil airway No. 8 control areas (Dayton, Ohio, to Newark, N. J.)*"

3. Section 601.277 is amended by changing the caption to read: "*Red civil airway No. 77 control areas (Greensboro, N. C., to Millville, N. J.)*"

4. Section 601.665 is added to read:

§ 601.665 *Blue civil airway No. 65 control areas (Shuyak, Alaska, to Anchor Point, Alaska)* All of Blue civil airway No. 65.

5. Section 601.1140 is amended to read:

§ 601.1140 *Control area extension (Youngstown, Ohio)* All that airspace within a 15-mile radius of the Youngstown omnirange station excluding the airspace northeast of Youngstown bounded on the west by Blue civil airway No. 21 and on the south by a line 5 miles north of and parallel to a line bearing 73° True from the Youngstown omnirange station, and including the airspace within 5 miles either side of a line bearing 135° True from the Youngstown Municipal Airport extending from the airport to a point 25 miles southeast.

6. Section 601.2016 is amended to read:

§ 601.2016 *Wheeling, W. Va., control zone.* Within a 5-mile radius of Wheeling-Ohio County Airport, within 2 miles either side of the centerline of the northeast-southwest runway extended through the outer compass locator to a point 10 miles southwest of the airport, and within 2 miles either side of a direct line extending from the airport to the Wheeling omnirange station.

and the Erie, Pa., omnirange 174 True radial

(Sec 205, 52 Stat 984 as amended; 49 U S C 425 Interpret or apply sec 601 52 Stat 1007 as amended; 49 U S C 551)
This amendment shall become effective 0001 e s t, October 27 1953

[SEAL]
F B LEE,
Administrator of Civil Aeronautics
[F R Doc 53-9199; Filed Oct 29 1953; 8:52 a m]

[Amdt. 43]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

ALTERATIONS

The standard instrument approach procedure alterations appearing herein after are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice procedures and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.
Part 609 is amended as follows:

1 The low frequency range procedures prescribed in § 609 6 are amended to read in part:

15 Section 600 6053 is amended to read:

§ 601 6053 VOR civil airway No 53 control areas (Bristol, Tenn., to Madison, Wis.). All of VOR civil airway No 53 including east and west alternates

16 Section 601 6134 is added to read:

§ 601 6134 VOR civil airway No 134 control areas [Unassigned]

17 Section 601 6135 is added to read:

§ 601 6135 VOR civil airway No 135 control areas (Yuma, Ariz., to Las Vegas, Nev.). All of VOR civil airway No 135

18 Section 601 6136 is added to read:

§ 601 6136 VOR civil airway No 136 control areas [Unassigned]

19 Section 601 6137 is added to read:

§ 601 6137 VOR civil airway No 137 control areas (San Bernardino, Calif., to Bakersfield, Calif.). All of VOR civil airway No 137

20 Section 601 7001 Domestic VOR reporting points is amended by adding the following reporting points:

Palmdale, Calif. omnirange station
Needles Calif. omnirange station

and by deleting the following reporting point:

Mercer Intercession: The intersection of the Youngstown, Ohio omnirange 101. True

airway No 8 (Dayton, Ohio, to Newark, N. J.), and by adding the following reporting points to present reporting points: "the Crystal Lake Pa., nondirectional radio beacon; the intersection of the north-east course of the Allentown, Pa., radio range and the northwest course of the Newark N J radio range,"

11 Section 601 4221 Red civil airway No 21 (Pittsfield, Pa., to Boston Mass.), is amended by deleting the following reporting points: "the Crystal Lake, Pa., nondirectional radio beacon; the intersection of the northeast course of the Allentown Pa. radio range and the northwest course of the Newark N J radio range,"

12 Section 601 4277 is amended by changing the caption to read: "Red civil airway No 77 (Greensboro, N C., to Millville, N J)."

13 Section 601 4665 is added to read: § 601 4665 Blue civil airway No 65 (Shuyak, Alaska, to Anchor Point, Alaska). No reporting point designation

14 Section 601 6012 is amended to read:

§ 601 6012 VOR civil airway No 12 control areas (Palmdale, Calif., to Philadelphia, Pa.). All of VOR civil airway No. 12, including north and south alternates

7 Section 601 2127 is amended to read:

§ 601 2127 Youngstown, Ohio, control zone Within a 5-mile radius of the Youngstown Municipal airport within 2 miles either side of the north course of the Youngstown radio range extending from the radio range station to a point 10 miles north within 2 miles either side of a line bearing 135°. True from the airport through the outer compass locator extending to a point 15 miles southeast of the airport and within 2 miles either side of the 369°. True radial of the Youngstown omnirange extending from the omnirange station to a point 10 miles north

8 Section 601 2256 is amended to read:

§ 601 2256 Parkersburg, W Va., control zone Within a 5-mile radius of Wood County Airport and within 2 miles either side of the 29° and 209°. True radials of the Parkersburg omnirange extending from the airport to a point 10 miles northeast of the omnirange station

9 Section 601 4102 is amended by changing the caption to read: "Amber civil airway No 2 (Long Beach, Calif., to Umiat, Alaska)."

10 Section 601 4208 is amended by changing the caption to read: "Red civil

LOW FREQUENCY RANGE PROCEDURES

When an LFR instrument approach is conducted at the below named airport(s) it shall be in accordance with the following instrument approach procedure(s), unless an approach is conducted with a different procedure authorized by the Administrator for each airport(s). Initial approaches shall be made over specified routes. Minimum altitude (ft) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; class of facility; frequency; identification; procedure No	Initial approach to facility		Procedure turn: () side of final approach course (feet inbound on 1 inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance to facility	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified below or if landing not accomplished; remarks
	From—	Course and distance				Condition	Type aircraft	More than 75 m. p. h. or less	
HOBBS, N. MEX Hobbs Airport	(Procedure cancelled)								
RODEO, N. MEX Rodeo Airport, 4137 BMRZ-DTV 254 kc. RFD Procedure No. 1 Effective date: July 1 1953	Hilltop FM --		11,000	W side NE course; 613 outbound, 103 inbound, 8,000' within 25 miles	6,000	At airport	T-4 T-4 C-4 A-4	2,000-1.0 2,000-2.0 2,000-2.0 2,000-2.0 3,000-3.0	Within 0.6 miles, make immediate right turn, climb to 4,000' on NE course within 25 miles. CAUTION: 0.022° terrain 5.5 miles SE of LFR. SUTTER: On NE course to 0.60 within 25 miles. NOTE: ADF procedure not authorized

NOTE: Bearings, headings, courses are magnetic. Distances are in statute miles. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation.

2 The automatic direction finding procedures prescribed in § 609 9 are amended to read in part:

AUTOMATIC DIRECTION FINDING PROCEDURES

When an ADF instrument approach is conducted at the below named airport(s) it shall be in accordance with the following instrument approach procedure(s), unless an approach is conducted in accordance with a different procedure authorized by the Administrator for such airport(s). Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; class of facility; frequency; identification; procedure No	Initial approach to facility			Procedure turn: () side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance to facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified below or if landing not accomplished, remarks
	From—	Course and distance	Minimum altitude (ft)				Condition	Type aircraft		
AMARILLO, TEX. Amarillo Air Terminal, 3,604' MHW (St. Francis Rbn) 338 Kc, SFW Procedure No. 2 Effective date: April 16 1953	Amarillo VOR	029-1 5	4,700	N side course: 029 outbound 200 inbound 4 800' within 16 miles (NA beyond 16 miles)	4,300	209-5 9	T-dn C-dn S-dl S n2l A-dn	300-1 0	300-1 0	Within 5.9 miles, climb to 5 000 on course of 209° within 25 miles of St. Francis Rbn
	Amarillo LFR	040-8 0	4,700					500-1 0	500-1 0	
	Int. NW crs Amarillo LFR and E crs Amarillo LFR	230-13 0	4 700					500-1 0	500-1 0	
	Int. SW crs Amarillo ILS and S crs Amarillo LFR	029-11 0	5,000					800-2 0	800-2 0	
OHATTANOOGA, TENN. Lovell Field Procedure No. 2 Effective date: May 26, 1953	(Procedure canceled)									
IOWA CITY, IOWA Iowa City Airport Procedure No. 1 Effective date: May 27 1953	(Procedure canceled)									

Note: Bearings, headings, courses are magnetic. Distances are in statute miles. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation.

These procedures shall become effective upon publication in the FEDERAL REGISTER

(Sec 205 52 Stat 984 as amended; 49 U S C 425 Interpret or apply sec 601, 52 Stat 1007 as amended; 49 U S C 551.)

[SEAL]

F B LEE
Administrator of Civil Aeronautics

[F R Doc 53-9092; Filed Oct 29 1953; 8:45 a m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6089]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SCIENTIFIC LIVING, INC ET AL

Subpart—Advertising falsely or misleadingly: § 3 15 Business status advantages or connections: Producer status of dealer or seller; Manufacturer: § 3 20 Comparative data or merits; § 3 25 Competitors and their products; Competitors products: § 3 170 Qualities or properties of product or service; § 3 205 Scientific or other relevant facts. Subpart—Disparaging competitors and their products: Competitors products: § 3 1000 Performance Subpart—Misrepresentation oneself and goods—Business status, advantages or connections: § 3 1400 Dealer as manufacturer: Goods: § 3 1575 Comparative data or merits; § 3 1585 Competitive inferiority; § 3 1710 Qualities or properties; § 3 1740 Scientific or other relevant facts. I In connection with the offering for sale or distribution of respondents various drugs and food or any other preparation or product of substantially similar composition or possessing substantially similar properties whether sold under the same name or any other name disseminating etc any advertisements by means of the United States mails or in commerce, or by any means to induce etc directly or indirectly the purchase of respondents foods drugs or devices in commerce, which advertisements represent, directly or by implication: (a) That the Adolphus B-Complex Tablets damages destroys or results in the loss of minerals and vitamins to the extent that the consumer of the food will not receive his minimum requirements thereof; (b) that the use of the Adolphus Tenderizer will retain the minerals and vitamins cooked therein to a greater extent than will competitive cooking utensils utilizing similar methods of cooking; (c) that food cooked in the Adolphus Tenderizer is more beneficial than food cooked in other utensils in that it provides more or better blood more energy, better health greater immunity to fatigue or disease, or increases vitality longevity or virility; (d) that the use of the Adolphus Tenderizer in the preparation of food is of any value in the treatment of cancer; (e) that the use of the Adolphus Tenderizer in the preparation of food is of any value in the treatment of tuberculosis; (f) that the food possess any value in the treatment of nervousness neuritis fatigue insomnia and pains or any other symptoms resulting from Vitamin B₁ or Niacin deficiencies unless such representation be expressly limited to symptoms due to Vitamin B₁ or Niacin deficiencies; (b) that Adolphus Imported Peppermint Tea sweetens the intestinal tract; (c) that El Rancho Adolphus Clover Honey is a cure for coughs and colds; and (d) that El Rancho Adolphus Pure Apple Juice Concentrate eliminates mucus and toxins; II in connection with the offering for sale or distribution in commerce of respondents tenderizers or any other product of substantially similar composition, design, construction or purpose representing directly or by implication: (a) That the cooking of food in utensils other than the Adolphus Tenderizer

cooked in respondents' Tenderizer is more beneficial to sufferers from constipation than food cooked by other methods; (g) that the use of the Adolphus Tenderizer in the preparation of food will result in or maintain good health, efficiency, youthfulness, strength, vigor, or increased resistance to disease; or will prevent or cure or be of value in the treatment of neuralgia, neuritis, melancholia, insanity, cancer, aching joints, rheumatism, arthritis, decomposition of the kidneys, piles, gall stones, or tumors; (h) that the ingestion of food cooked in the Adolphus Tenderizer will have more influence on the acidity or alkalinity of the body than the ingestion of food cooked by any other method; (i) that yams or sweet potatoes contain Vitamin A or that frying, baking or boiling said food products destroys the pro-vitamin A or carotene therein; (j) that food cooked in aluminum cooking utensils causes diabetes and liver damage; (k) that food cooked in copper utensils is harmful to the body; (l) that bread baked in the Adolphus Tenderizer is more nutritious than oven-baked bread; and (m) that the nutritional value of food is destroyed by cooking in pressure cookers; and, III, in connection with the offering for sale, sale and distribution in commerce of respondents' tenderizer or any other product, in commerce, using the expression "Manufactured by Scientific Living, Inc." or any other expression of similar import or meaning, to designate, describe or refer to respondents' tenderizer or any other product not manufactured by them or representing in any other manner that respondents manufacture any product distributed by them, unless and until they own and operate or directly and absolutely control the plant wherein said product is produced; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Cease and desist order, Scientific Living, Inc., et al., Scranton, Pa., Docket 6099, October 1, 1953]

In the Matter of Scientific Living, Inc., a Corporation, and Adolphus Hohensee, Mildred J. Walsh and Viola Heinzerling, Individually and as Officers of Said Corporation

This proceeding was heard by James A. Purcell, hearing examiner, upon the complaint of the Commission and a hearing at which respondents, appearing by counsel, announced their intentions not to contest the proceeding "in any degree whatsoever" whereupon, respondents having failed to file answer to the complaint in the matter pursuant to the provisions of Rule VIII of the Commission's rules of practice, the provisions of Rule V (b) of the Commission's rules, prescribing procedure in event of "default", became operative.

Thereafter the proceeding regularly came on for final consideration by said examiner, theretofore duly designated by the Commission, upon said complaint and default, and said examiner, having duly considered the record in the matter, and having found that the proceeding was in the interest of the public, made his initial decision, comprising certain

findings as to the facts,³ conclusion drawn therefrom,⁴ and order to cease and desist.

No appeal having been filed from said initial decision of said hearing examiner, as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on October 1, 1953.

Said order to cease and desist is as follows:

It is ordered, That the respondents, Scientific Living, Inc., a corporation, and its officers, and Adolphus Hohensee, Mildred J. Walsh and Viola Heinzerling, individually and as officers of the respondent corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their various drugs and food, or any other preparation or product of substantially similar composition, or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication:

(a) That the Adolphus B-Complex Tablets possess any value in the treatment of nervousness, neuritis, fatigue, insomnia, constipation, dizziness or vague aches and pains, or any other symptoms resulting from Vitamin B₁, B₂, or Niacin deficiencies, unless such representation be expressly limited to symptoms due to Vitamin B₁, B₂, or Niacin deficiencies.

(b) That Adolphus Imported Peppermint Tea sweetens the intestinal tract;

(c) That El Rancho Adolphus Clover Honey is a cure for coughs and colds;

(d) That El Rancho Adolphus Pure Apple Juice Concentrate eliminates mucus and toxins.

2. Disseminating or causing to be disseminated by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of respondents' foods, drugs or devices in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That the respondents, Scientific Living, Inc., a corporation, and its officers, and Adolphus Hohensee, Mildred J. Walsh and Viola Heinzerling, individually and as officers of respondent corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined

³ Filed as part of the original document.

in the Federal Trade Commission Act of their tenderizers, or any other product of substantially similar composition, design, construction or purpose, do forthwith cease and desist from representing, directly or by implication:

(a) That the cooking of food in utensils other than the Adolphus Tenderizer damages, destroys or results in the loss of minerals and vitamins to the extent that the consumer of the food will not receive his minimum requirements thereof.

(b) That the use of the Adolphus Tenderizer will retain the minerals and vitamins cooked therein to a greater extent than will competitive cooking utensils utilizing similar methods of cooking;

(c) That food cooked in the Adolphus Tenderizer is more beneficial than food cooked in other utensils in that it provides more or better blood, more energy, better health, greater immunity to fatigue or disease, or increases vitality, longevity or virility;

(d) That the use of the Adolphus Tenderizer in the preparation of food is of any value in the treatment of cancer;

(e) That the use of the Adolphus Tenderizer in the preparation of food is of any value in the treatment of tuberculosis;

(f) That the food cooked in respondents' Tenderizer is more beneficial to sufferers from constipation than food cooked by other methods;

(g) That the use of the Adolphus Tenderizer in the preparation of food will result in or maintain good health, efficiency, youthfulness, strength, vigor, or increased resistance to disease; or will prevent or cure or be of value in the treatment of neuralgia, neuritis, melancholia, insanity, cancer, aching joints, rheumatism, arthritis, decomposition of the kidneys, piles, gall stones, or tumors;

(h) That the ingestion of food cooked in the Adolphus Tenderizer will have more influence on the acidity or alkalinity of the body than the ingestion of food cooked by any other method;

(i) That yams or sweetpotatoes contain Vitamin A or that frying, baking or boiling said food products destroys the pro-vitamin A or carotene therein;

(j) That food cooked in aluminum cooking utensils causes diabetes and liver damage;

(k) That food cooked in copper utensils is harmful to the body;

(l) That bread baked in the Adolphus Tenderizer is more nutritious than oven-baked bread;

(m) That the nutritional value of food is destroyed by cooking in pressure cookers.

It is further ordered, That the respondent, Scientific Living, Inc., a corporation, and its officers, and Adolphus Hohensee, Mildred J. Walsh and Viola Heinzerling, individually and as officers of respondent corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of their tenderizers, or any other product, do forthwith cease and desist from:

(1) Using the expression "Manufactured by Scientific Living, Inc.," or any other expression of similar import or meaning, to designate, describe or refer to respondents' tenderizer or any other product not manufactured by them or representing in any other manner that respondents manufacture any product distributed by them, unless and until they own and operate or directly and absolutely control the plant wherein said product is produced.

By "Decision of the Commission and Order to File Report of Compliance" Docket 6099, September 25, 1953, which decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: September 25, 1953.

By the Commission.

[SEAL] ALEX. AKERMAN, Jr.,
Secretary.

[F. R. Doc. 53-9196; Filed, Oct. 29, 1953;
8:51 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Bureau of Foreign Commerce
[6th Gen. Rev. of Export Regs., Amdt. P. L. 61]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

DELETION OF CERTAIN HIDES AND SKINS FROM LIST

Section 399.1 *Appendix A—Positive List of Commodities* is amended by deleting therefrom the following commodities:

Dept. of Commerce Schedule B No.	Commodity
	<i>Hides and skins, raw, except furs</i>
020104	Cattle hides, wet.
020604	Calf skins, wet (include slunk skins).
020704	Kip skins, wet.
	Hides and skins, raw, n. e. c. (include whole skins and parts thereof):
025008	Cattle hide parts (including, but not limited to, bellies, croupions, shoulders, butts, and splits).

This amendment shall become effective as of October 30, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C., App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director
Bureau of Foreign Commerce.

[F. R. Doc. 53-9195; Filed, Oct. 29, 1953;
8:51 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

Correction

In F. R. Doc. 53-9084, appearing at page 6772 of the issue for Tuesday, October 27, 1953, make the following change:

In the first line of § 146.417 (d) (3) the word "Exceptions" should read "Except as"

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

MISCELLANEOUS AMENDMENTS

1. In § 3.55, paragraph (f) is amended to read as follows:

§ 3.55 *Proof of death.* * * *

(f) In cases wherein proof of death, as defined in paragraphs (a) through (e) of this section, cannot be furnished, the director, claims service, in district office cases, or the chief, dependents division in cases under the jurisdiction of Veterans Benefits Office—District of Columbia, may make a finding of fact of death where death is otherwise shown by competent evidence. Where it is indicated that the veteran died under circumstances which precluded recovery or identification of the body, the fact of death should be established by the best evidence, which from the nature of the case must be supposed to exist.

2. In § 3.57, paragraph (b) (3) is amended to read as follows:

§ 3.57 *Conditions which determine dependency.* * * *

(b) *Sources of income.* * * *

(3) In determining dependency amounts received from the following named sources, by the father or mother or other member of the family, will be disregarded, viz., (i) as designated beneficiary or otherwise of any insurance under the War Risk Insurance Act, the World War Veterans' Act, 1924, as amended, or the National Service Life Insurance Act, or any amendments to either; (ii) any pension or compensation under laws administered by the Veterans' Administration; (iii) benefits under the World War Adjusted Compensation Act or the Adjusted Compensation Payment Act, or any amendments to either; (iv) the 6-month pay made to the designated beneficiary thereof pursuant to 10 U. S. C. 903, 903 (a) and 456, 34 U. S. C. 943, 944, and 855c-2; (v) payments pursuant to Mustering-Out Payment Act, 1944 (Pub. Law 225, 78th Cong.) (vi) donations or assistance from charitable sources; (vii) payments of servicemen's

indemnity under Public Law 23, 82d Congress; (viii) annuities received under the Uniformed Services Contingency Option Act of 1953 (Pub. Law 239, 83d Cong.)

3. In § 3.228, paragraphs (b) (4) and (c) (2) are amended and a new paragraph (b) (6) is added as follows:

§ 3.228 *Computation of annual income for the purposes of Part III, Veterans Regulation 1 (a) (38 U. S. C. ch. 12) or section 1 (c) of Public No. 198, 76th Congress (act of July 19, 1939), as amended by section 11, Public Law 144, 78th Congress, and Public Law 357, 82d Congress.* * * *

(b) *Benefits excluded from computation.* * * *

(4) For the purposes of paragraph II (a) Part III, of Veterans Regulation 1 (a) as amended, amounts payable to Government employees under Public Laws 106 and 390, 79th Congress, other than increases in basic rates of compensation, which the law expressly provides, shall be considered a part of basic compensation. For the purposes of section 11, Public Law 144, 78th Congress, this compensation is not excluded from computation of annual income.

(6) Annuities received under the Uniformed Services Contingency Option Act of 1953 (Public Law 239, 83d Congress) will not be considered income.

(c) *Income included in computation.* * * *

(2) Family allowances authorized by service personnel under Public Law 626, 77th Congress, or Public Law 351, 81st Congress, as amended by Public Law 771, 81st Congress, and Public Law 8, 83d Congress.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective October 30, 1953.

[SEAL] H. V. STIRLING,
Deputy Administrator

[F. R. Doc. 53-9202; Filed, Oct. 29, 1953;
8:53 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10588]

PART 3—RADIO BROADCAST SERVICE

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606, *Table of assignments*, rules governing television broadcast stations; Docket No. 10588.

1. The Commission has under consideration its notice of proposed rule making issued on July 10, 1953 (FCC 53-859), and published in the FEDERAL REGISTER on July 17, 1953 (18 F. R. 4200), and its notice of further proposed rule making issued on August 21, 1953 (FCC 53-1068), and published in the FEDERAL REGISTER on August 28, 1953 (18 F. R. 5147). These notices concerned the television assignments to the communities of Blue-

field and Fayetteville, West Virginia, and High Point and Wilmington, North Carolina.

2. The communities for which additional television assignments have been requested in this proceeding are Bluefield, West Virginia, High Point, North Carolina, Fayetteville, West Virginia, and Wilmington, North Carolina. The present assignments to these communities are as follows:

City	Channel No.
High Point, N. C.	15
Wilmington, N. C.	6, 29, *35
Bluefield, W. Va.	41
Fayetteville, W. Va.	None

BLUEFIELD, W. VA., AND HIGH POINT, N. C.

3. The Daily Telegraph Printing Company, Bluefield, West Virginia, proposed the addition of VHF Channel 6 to Bluefield as follows:

City	Channel No.	
	Present	Proposed
Beckley, W. Va.	6-, 21	4, 21
Bluefield, W. Va.	41+	6- 41+

and an amendment to § 3.610 and Appendix 1, Figure 1, so as to move the Zone I line to include the entire State of West Virginia.

4. In support of the proposal petitioner urges that Bluefield is the largest city in the Fifth Congressional District of West Virginia with a population of 21,506; that no VHF assignment has been made to this district; that the density of population in the Zone II portion of West Virginia is greater than that in Zone I, that this density of population is greater than the most densely populated state in Zone II and many states in Zone I, that the proposed amendment would result in a more fair and equitable distribution of VHF assignments as among the districts of West Virginia; that an UHF assignment would not be satisfactory in the rugged mountainous terrain of this area, and that the proposed assignment would provide a new service to a large number of persons.

5. The High Point Enterprise, Inc., High Point, North Carolina, proposed the addition of VHF Channel 6 to High Point as follows:

City	Channel No.	
	Present	Proposed
High Point, N. C.	15+	6-, 15+
Wilmington, N. C.	6, 29- *35+	3-, 29- *35+
Beckley, W. Va.	6-, 21	4, 21

and an amendment of § 3.610 and Appendix 1, Figure 1, so as to move the Zone I line to include either the City of Beckley, West Virginia, or the entire State of West Virginia. This proposal conflicts with the Bluefield proposal above in that Channel 6 cannot be assigned to both communities which are only 115 miles apart.

6. In support of its proposal for the addition of Channel 6 to High Point, petitioner urges that High Point with a population of 39,930 is one of two equally

important cities in the Greensboro-High Point metropolitan area; that it is one of the cities forming a triangle consisting of Greensboro, Winston-Salem, and High Point each having a VHF assignment except for High Point; that High Point is an important cultural and trading center deserving of a VHF station for local expression; that there are 66,792 VHF receivers in the area, that the proposal is technically feasible; and that the density of population in that portion of West Virginia in Zone II is greater than that in Zone I.

7. Oppositions to the Bluefield and High Point proposals were filed by the Consolidated University of North Carolina, Joe L. Smith, Jr., Beckley, West Virginia, Winston-Salem Broadcasting Company, and Intercity Advertising Company, Charlotte, North Carolina. In addition, oppositions to the High Point proposal were filed by Southern West Virginia Television, Inc., Beckley, West Virginia; WMFD-TV Wilmington, N. C., and Havens & Martin, Inc., Richmond, Va. In these oppositions it is urged that the proposals should be denied because no adequate basis has been established for moving the Zone line and that the resulting reduced separations would limit the service areas of existing and proposed stations.

8. In a Supplemental Comment filed October 5, 1953, High Point asserts that Channel 6 could be assigned to High Point and retained at Wilmington if § 3.611 (a) (2) is amended as proposed in Docket 10692.¹ Motions to strike this comment of High Point were filed by Daily Telegraph Printing Company, Havens & Martin, Inc., and Robert R. Thomas, Jr. The Commission's notice of further proposed rule making extended the date for filing comments to September 23, 1953, and the date for replies ten days thereafter. On October 19, 1953, High Point filed a "Clarification of Supplemental Comment" in which it is proposed as an alternative to its first proposal that the Zone I boundary be revised and drawn in the following manner "beginning at the most easterly point on the state boundary line between North Carolina and South Carolina, thence in a straight line to a point at a junction of the Ohio, Kentucky and West Virginia state boundary lines * * *". In support of this alternative proposal, petitioner contends that if the Zone line were thus revised, that portion of the State of North Carolina contained within Zone I would have more than 60 percent of the population of the State and would have the greater proportion of the larger cities within the State.

FAYETTEVILLE, W. VA. AND WILMINGTON, N. C.

9. Robert R. Thomas, Jr., Oak Hill, West Virginia, proposed the addition of Channel 4 to Fayetteville, West Virginia, without making any other changes in the Table of Assignments. This pro-

¹ In the proceeding in Docket 10692 it was proposed to amend the reference points to permit assignments where the spacing between the city to an existing transmitter site was 5 miles or less than the required minimum.

posal conflicts with the Bluefield and High Point proposals in that Channel 4 cannot be assigned to both Beckley and Fayetteville at a distance of only 10.7 miles. In support of the proposal petitioner stated that Fayetteville has not been assigned a television channel; that Fayetteville with a population of 1,952 is the county seat of Fayette County which has a population of 82,443; that the proposed assignment would meet all the requirements of the rules without any other changes in the Table of Assignments; that a VHF assignment is necessary to serve the rugged and mountainous terrain in the area; and that the amendment requested would represent a fair, efficient, and equitable distribution of frequencies as provided by section 307 (b) of the Communications Act.

10. Fayette Associates, Wilmington, North Carolina, requested that Channel 3 be assigned to Wilmington without any other changes in the Table of Assignments. This proposal conflicts with that of High Point only in that the High Point proposal deletes Channel 6 at Wilmington while this proposal retains it at Wilmington. In support of its proposal for the addition of Channel 3 to Wilmington, petitioner urged that the proposed amendment can be accomplished without any other changes in the Table of Assignments; that Wilmington has a population of 45,043; that the requested assignment conforms to the requirements of the Rules; and that it would provide a second locally originated and competitive VHF service.

CONCLUSIONS

11. The foregoing petitions request a first VHF assignment in Fayetteville, Bluefield, High Point and a second VHF assignment in Wilmington. The Fayetteville, Bluefield, and High Point requests are in conflict with each other and only one of these may be granted. In addition the High Point and Wilmington proposals are in conflict and only one of these requests may be granted. The Bluefield and High Point proposals can only be granted if the request for removal of the Zone I line to include the entire State of West Virginia is also granted.

12. Upon a review of the contentions of the parties and the data submitted in these proceedings, we are of the view that no basis has been established for changing the Zone lines as requested. The determination of appropriate minimum spacings for television stations is critical to the establishment of a nation-wide service. In the Sixth Report and Order we gave careful consideration to the pertinent factual and policy matters which enter into that determination. We concluded that in the less densely settled areas (Zone II) separations of 190 miles must be maintained between co-channel VHF stations in order to assure service; and that in more densely settled areas (Zone I) separations of 170 miles were adequate for that purpose. We pointed out that in the Zone I area because of the concentration of cities, the provision for lower minimum spacings will not have the tendency of depriving persons in the area of television service since

there will be an overlapping of service contours of stations on different channels located in the interference areas. However, in the less densely settled areas close separations of television stations would deprive persons residing in the interference areas between such stations of television service since there generally do not exist other cities of sufficient magnitude in the interference area capable of supporting stations on other channels. Two bases—population density and concentration of cities of more than 50,000 were used in delineating the Zone I and II line. And this line was predicated on the existence of large contiguous areas with substantially higher density of population and concentration of cities compared to all other contiguous areas of comparable size. Absent an error in the delineation of that line we are of the view that the Zone line shifts are inappropriate as a method of accommodating particular assignments.

13. With respect to the request of High Point and Daily Telegraph that the Zone I line be removed so as to include the entire State of West Virginia, petitioners rely as a basis for removing the line in a southerly direction solely on the greater density of population in the Zone II portion of West Virginia than the Zone I portion, a fact recognized by the Commission in its Sixth Report (Appendix A—Table 1). Petitioners have not, however, considered the number and spacing of the larger cities which is, as we have pointed out in the Sixth Report also, of paramount importance in this connection. And the facts with respect to the concentration of cities within the State of West Virginia do not justify a removal of the line. In the Zone I portion of West Virginia, there are three cities of more than 50,000 (the criterion relied upon in the Sixth Report) and no cities of that size in the Zone II portion of West Virginia. Moreover, the data with respect to smaller cities furnishes no basis for the removal of the Zone line. In the Zone I portion of West Virginia there are ten cities with population of more than 10,000 and only two in Zone II. The closest spacing of these cities in the Zone I portion is 15.4 miles, and 35 miles in the Zone II portion. There are 8 cities with population of more than 20,000 in Zone I and only one in Zone II. The closest spacing for these cities is 27 miles in Zone I and 72 miles for the city in Zone II.

14. The Supplemental Comment and the "Clarification of Supplemental Comment" filed by High Point are clearly without merit. The Supplemental Comment proposes the assignment of Channel 6 to High Point and the retention of that channel in Wilmington contingent on the amendment of § 3.611 (a) (2) as proposed in Docket 10692. This proposal is obviously erroneous. The separation between High Point and the transmitter site in Wilmington is approximately 165 miles or 25 miles less than the required

co-channel minimum spacing in Zone II. The "Clarification" introduces a completely new proposal. In this new proposal petitioner requests a major and substantial revision of the Zone line but the data offered in support are inadequate and create a misleading impression. Petitioner compares the population and cities that would be contained within the portions of North Carolina in Zone I and Zone II as proposed by it. Petitioner, however, gives no data with respect to the population density and number and distribution of the cities within the proposed addition to Zone I as compared with Zone I as presently constituted. Specifically data are submitted only for the State of North Carolina and no data is submitted for the substantial portion of the State of Virginia which is included within Zone I as proposed. Indeed, with respect to the State of North Carolina, petitioner does not furnish the data concerning the population density. An examination of the available data, however, indicates that there is no merit in the proposed removal of the Zone line. The proposed addition of Zone I is a triangular area in which there are only five cities of over 50,000 population in a land area of 48,800 square miles, or one such city for every 9,750 square miles. In the present Zone I there is one city of over 50,000 for every 2,560 square miles. The proposed addition to Zone I comprises portions of West Virginia, Virginia, and North Carolina with population densities of 103.6, 47.3, and 78.5 persons, respectively, per square mile. The population density of the entire area is 71.5 persons per square mile. This is well below the population density for Zone I as presently constituted of 222.1 persons per square mile.

15. In our view, therefore, there is no justification for granting the request for a removal of the Zone line, and the petitions of High Point Enterprise, Inc., and Daily Telegraph Printing Company are denied.

16. There remain for consideration the proposals of Robert R. Thomas, Jr. and Fayette Associates. Both of these appear to meet the requirements of the Rules and may be made without any other changes in the Table of Assignments or in the Zone lines.² Likewise both appear to be in the public interest and may be granted together, thus providing a first assignment to Fayetteville and a second competitive VHF assign-

² Channel 4 was previously assigned to Fayetteville (See Report and Order issued April 8, 1953, FCC 53-381). This assignment was subsequently rescinded (See Memorandum Opinion and Order issued May 29, 1953, FCC 53-650) because it was the Commission's view that the petitioner attempted to circumvent the requirements of the "one year rule" in effect at that time. The petition of Mr. Thomas now before us, however, was filed subsequent to the expiration of the "one year rule." High Point argues that Mr. Thomas seeks to circumvent the Commis-

sion's rules by proposing an assignment of Channel 4 at Fayetteville in order to apply for it at Oak Hill where the assignment is precluded by § 3.610. The Commission is of the view that such is not the case. First, assignments are not made for individual petitioners but for the communities involved. Thus, the assignment is requested for Fayetteville and would be available to all interested applicants in and around that community. Second, no circumvention of § 3.610 is possible in this case since an applicant for this assignment in Oak Hill would have to meet the Zone II spacing requirements in the event a site is chosen in Zone II. (See § 3.610 (d).)

1. Amend the table to read:

City	Channel No.
Wilmington, N. C.-----	3—, 6, 29—, *35+

2. Add to the table:

City	Channel No.
Fayetteville, W. Va.-----	4

3. Change the Channel 4 assignment in Chapel Hill, N. C. from *4 to *4+.

4. Change the Channel 3 assignment in Savannah, Georgia, from 3— to 3+.

17. Authority for the adoption of the proposed amendment is contained in sections 4 (i) 301, 303 (c) (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1084; 47 U. S. C. 301, 303, 307)

Adopted: October 22, 1953.

Released: October 22, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9185; Filed, Oct. 29, 1953;
8:49 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

PART 8—PROCLAMATIONS DESIGNATING AREAS CLOSED TO HUNTING

LIST OF AREAS

EDITORIAL NOTE: For order designating as closed area under the Migratory Bird Treaty Act certain lands and waters in and adjacent to St. Marks National Wildlife Refuge, Florida, see F. R. Doc. 53-9130 under Department of the Interior (18 F. R. 6837). Such orders have formerly been issued as Presidential Proclamations and a listing of areas designated appears in § 8.1.

sion's rules by proposing an assignment of Channel 4 at Fayetteville in order to apply for it at Oak Hill where the assignment is precluded by § 3.610. The Commission is of the view that such is not the case. First, assignments are not made for individual petitioners but for the communities involved. Thus, the assignment is requested for Fayetteville and would be available to all interested applicants in and around that community. Second, no circumvention of § 3.610 is possible in this case since an applicant for this assignment in Oak Hill would have to meet the Zone II spacing requirements in the event a site is chosen in Zone II. (See § 3.610 (d).)

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 918]

[Docket No. AO 219-A2]

HANDLING OF MILK IN MEMPHIS, TENNESSEE, MARKETING AREA

NOTICE OF EXTENSION OF TIME FOR FILING PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) notice is hereby given of an extension of time for the filing of proposed amendments to the order regulating the handling of milk in the Memphis, Tennessee, marketing area. The notice of hearing issued October 7, 1953 (18 F. R. 6456) provided that proposals filed on or before November 1, 1953, would be considered for inclusion in a notice of hearing to be issued a later date. A request to extend this time for filing such proposals has been received from the Mid South Milk Producers Association. The time for filing such proposals is therefore extended until November 20, 1953.

Dated: October 26, 1953.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator

[F. R. Doc. 53-9183; Filed, Oct. 29, 1953; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket Nos. 10670, 10671]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606, Table of assignments, rules governing television broadcast stations; Docket Nos. 10670 and 10671.

1. On August 27, 1953 the Commission issued a notice of proposed rule making (FCC 53-1112) which was published in the FEDERAL REGISTER on September 2, 1953 (18 F. R. 5332) proposing to assign Channel 10 to Virginia, Minnesota and Laurium, Michigan in lieu of Hibbing, Minnesota and Hancock, Michigan. On the same day the Commission also issued a Notice of Proposed Rule Making (FCC 53-1116) which was published in the FEDERAL REGISTER on September 2, 1953 (18 F. R. 5332) proposing to assign Channel 12 to Duluth, Minnesota-Superior, Wisconsin, by deleting that assignment from Brainerd, Minnesota and Iron River, Michigan and substituting Channels 37 and 33 therefore respectively.

2. The final date for filing comments in these proceedings was specified as September 30, 1953 with replies to these comments due 10 days thereafter. On October 9, 1953 the Head of the Lakes Broadcasting Company, Duluth, Minnesota filed a "Supplement to Comments and Counterproposal And Reply to Com-

ments of Other Parties Filed In These Proceedings" in which it requested an amendment of the Table of Assignments as follows:

City	Channel No.	
	Present	Proposed
Duluth, Minnesota-Superior, Wisconsin	3,6,*3 32,33	3,6,*3,33
Duluth, Minnesota		19
Hibbing, Minnesota	19	
Virginia, Minnesota	25	
Hancock, Michigan	19	
Buhl, Minnesota		13

3. The above counterproposal was filed after the last day for filing comments in these proceedings and was offered as an alternative to the petitioners proposal to assign Channel 12 to Duluth-Superior. In order to permit all interested parties an opportunity to comment on the subject proposal the Commission is extending the time for filing comments in these proceedings. Accordingly, notice is hereby given that the time for filing comments in these proceedings is extended to November 2, 1953, and the time for filing replies to such comments is extended to November 12, 1953.

Adopted: October 21, 1953.

Released: October 23, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] W. M. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9184; Filed, Oct. 29, 1953; 8:49 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Accounts

Mixed Claims Commission, UNITED STATES AND GERMANY

NOTICE OF DISTRIBUTION ON AWARDS BY SECRETARY OF TREASURY

Notice is hereby given, that, on December 1, 1953, pursuant to sections 2 and 4 of the Settlement of War Claims Act of 1928, as amended, the Secretary of the Treasury will pay to holders of awards of the Mixed Claims Commission, United States and Germany, a distribution on account of interest in the amount of 4.65 per cent of the interest on such awards which on January 1, 1953, had accrued and was unpaid. In accordance with the act of August 6, 1947, 61 Stat. 789, the payment of this distribution will for the purpose of further accruals of interest only be deemed to have reduced the principal balances upon which interest accrues. Award-holders will be required to submit affidavits and such other evidence

as may be required to establish their right to receive this distribution. Affidavit forms have been mailed to record addresses of awardholders. Inquiries may be addressed to the Investments Branch, Division of Deposits and Investments, Bureau of Accounts, Treasury Department, Washington 25, D. C.

[SEAL] E. F. BARTELT,
Fiscal Assistant,
Secretary of the Treasury.

OCTOBER 27, 1953.

[F. R. Doc. 53-9203; Filed, Oct. 29, 1953; 8:53 a. m.]

Fiscal Service, Bureau of the Public Debt

[1953 Dept. Circular 933]

2¾ PERCENT TREASURY BONDS OF 1961

OFFERING OF BONDS

OCTOBER 28, 1953.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the author-

ity of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2¾ percent Treasury Bonds of 1961. The amount of the offering is \$2,000,000,000, or thereabouts. In addition to the amount offered for public subscription, the Secretary of the Treasury reserves the right to allot limited amounts of these bonds to Government Investment accounts.

II. *Description of bonds.* 1. The bonds will be dated November 9, 1953, and will bear interest from that date at the rate of 2¾ percent per annum, payable on a semiannual basis on September 15, 1954, and thereafter on March 15 and September 15 in each year until the principal amount becomes payable. They will mature September 15, 1961, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds shall be subject to all taxes now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The bonds shall be

subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provisions will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington. Commercial banks, which for this purpose are defined as banks accepting demand deposits, may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than commercial banks will not be permitted to enter subscriptions except for their own account. Subscriptions from commercial banks for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 10 percent of the amount of bonds applied for, not subject to withdrawal until after allotment. Following allotment, any portion of the 10 percent payment in excess of 10 percent of the amount of bonds allotted may be released upon the request of the subscribers.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to close the books as to any or all subscriptions at any time without notice, to allot less than the amount of bonds applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made or completed on or before November 9, 1953, or on later allotment. In every case where payment is not so completed, the payment with application up to 10 percent of the amount of bonds allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may, at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL]

G. M. HUMPHREY,
Secretary of the Treasury.

[F. R. Doc. 53-9204; Filed, Oct. 29, 1953;
8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARIZONA

SMALL TRACT CLASSIFICATION ORDER NO. 25

OCTOBER 27, 1953.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, under section 2.21 of Order No. 427, approved by the Secretary of the Interior on August 16, 1950 (15 F. R. 5641) I hereby classify, under the Small Tract Act of June 1, 1938 (52 Stat. 609) as amended July 14, 1945 (59 Stat. 467-43 U. S. C. 682a) as hereinafter indicated, for lease and sale for home sites only, the following described lands in the Arizona Land District, embracing approximately 760 acres:

T. 15 S., R. 12 E., G&SR&M,
Sec. 10: Lots 5 to 28, 33 to 128, incl.,
Sec. 11: W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 14: Lots 1 to 8 (NW $\frac{1}{4}$ NE $\frac{1}{4}$).

2. The lands in sections 10 and 11 described above were included in the withdrawal of April 15, 1946, Public Land Order No. 317. Public Land Order No. 317 was modified on October 20, 1953, by the Secretary of the Interior to permit the lease and sale of such lands under the Small Tract Act in accordance with the terms, conditions, and provisions of this classification order. The land in section 14 was placed under consideration for small tract classification at 11.15 a. m. on May 14, 1952, as noted on the records of the Land and Survey Office at Phoenix, Arizona.

3. The lands affected by this order are in Pima County, Arizona, about 12 miles southwest of Tucson, and from $\frac{3}{4}$ to 2 miles south of the Ajo road between Snyder Hill and Saginaw Hill. These lands, at an elevation of approximately 2,500 feet, are fairly flat desert covered with a stand of low desert shrubs. The climate is exceedingly dry with short mild winters and long hot summers with considerable variation in temperature between day and night. Rainfall averages about 12" annually. At present, no water or sewage utilities are available although electric power and natural gas

services are understood to be available from public utility companies operating in the general area. There is no certainty that an adequate supply of domestic water could be obtained by drilling wells on the lands. Business facilities, schools, and churches are located at Tucson, and to a lesser extent at the junction of Ajo and Mission roads.

4. No applications were filed on the withdrawn lands prior to withdrawal, or on the other lands prior to date they were placed under consideration for small tract classification.

5. As to applications of veterans filed after the land in Sec. 14 was placed under consideration for small tract classification, and before 10:00 a. m., October 27, 1953, such applications will be returned to the applicants accompanied by a Drawing Entry Card for use by the veteran in filing as indicated in paragraph 7 below of this order.

6. A multiplicity of filings by those persons entitled to claim veteran's preference for service in World War II only, is anticipated during the simultaneous filing period. Therefore, in accordance with the provisions of 43 CFR 257.8, Circular 1764, containing small tract regulations approved September 11, 1950, the special procedure and the drawing outlined therein will be used. This special procedure and the drawing do not apply to veterans of other wars of the United States.

7. Commencing at 10:00 a. m. on October 27, 1953, and until 10:30 a. m. on December 1, 1953, the lands described herein shall be subject to the filing of Drawing Entry Cards only by those persons entitled to claim World War II veterans' preference under the act of September 27, 1944 (58 Stat. 748; 43 U. S. C. secs. 279-284), as amended. Such veterans desiring to participate in the drawing, may apply to the Manager of the Land and Survey Office, Phoenix, Arizona, for a Drawing Entry Card, Form 4-775, upon which the veteran will print clearly his name, post office address, and sign his full name in the space provided on the card, certifying that he is a citizen of the United States, over 21 years of age or the head of a family, and entitled to veterans' preference based upon service in World War II and honorable discharge from such service. Only one Drawing Entry Card may be filed by an entrant. No filing fee or additional papers should accompany the Drawing Entry Card. All Drawing Entry Cards, when completed as indicated, shall be mailed to the above-mentioned Manager in Phoenix, Arizona, and must be forwarded in time to reach him not later than 10:00 a. m. on December 1, 1953. All cards of qualified entrants received not later than the hour and date mentioned will be placed in a drawing receptacle at Tucson, Arizona, at a place to be announced later, at 1:00 p. m. on December 2, 1953, and thoroughly mixed in the presence of such persons as may desire to be present. The cards will then be drawn by a disinterested party, one at a time, and be numbered in the order drawn to establish an adequate list of eligibles and of alternates to whom the available tracts will be allocated in consecutive order. The numbers assigned

in the drawing will fix the order in which the tracts will be allocated to the successful entrants, beginning with Lot 5, Sec. 10. Drawing numbers 1 to 24 will be used for Lots 5 to 28, respectively; drawing numbers 25 to 120 will be used for Lots 33 to 128, respectively. Next continuing in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11 beginning with the tract most easterly in the north tier and continuing in order westerly to the west line of the subdivision; and then next continuing in order easterly in the south tier to the east line of the subdivision. The SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11 will be next allocated, and then followed by the SE $\frac{1}{4}$ SE $\frac{1}{4}$ each in the same manner as the NW $\frac{1}{4}$ SE $\frac{1}{4}$. Drawing numbers 121 to 144 will be assigned to the tracts in Sec. 11. Next the lots in Sec. 14 will be allocated starting with Lot 1 and continuing in order through Lot 8, using drawing numbers 145 to 152, inclusive. Finally, drawing numbers 153 to 190, inclusive, will be used to select 38 alternates to whom tracts may become available as set out in paragraph 8 of this order.

8. Each successful entrant to whom a tract is awarded will be sent by registered mail a decision making appropriate requirements, with an "Offer to Lease and Lease under Small Tract Act" Form 4-776, in duplicate, bearing the description of the tract. The form must be completely filled out, signed and returned by the successful entrant within the time allowed, accompanied by a \$10 filing fee, and in addition by \$15 rental payment for a 3-year period; also a complete photostat, or other copy (both sides) of his certificate of discharge under honorable conditions, or of an official document of the branch of the service which shows clearly his honorable discharge, or constitutes evidence of other facts upon which the claim for preference is based, and which shows clearly the period of service. An award to a successful entrant who was not qualified to enter the drawing, or who for any reason fails within the time allowed to comply with the requirements of the decision accompanying the lease forms, will be canceled upon the records, and the lot will become available to the alternate next in line as determined by the drawing. Every lease will contain an option to purchase clause, and every lessee may file an application to purchase at the sale price, as provided in the lease.

9. Each of the lots in Secs. 10 and 14 will be leased as one tract. The small tracts to be leased by legal subdivisions in Sec. 11 (5 acres each) shall be 660 by 330 feet, with the long dimension running north and south. Leases will be for a period of three years at an annual rental of \$5 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$150 for each tract. The option to purchase may be exercised by the lessee with the approval of the Regional Administrator at any time during the life of the lease, but not prior to 11 months after the date of the lease, provided minimum satisfactory improvements have been constructed and the lease terms have been otherwise fulfilled.

10. Leases issued under the terms of this order shall conform to regulations in effect at the time of lease.

11. Lessees, or their successors in interest, shall comply with all Federal, State, or county laws and ordinances, including those dealing with health and sanitation, and with building and zoning requirements for the area. Failure or refusal to do so may be cause for cancellation of the lease at the discretion of the Regional Administrator. The district in which the lands affected by this order are located is currently zoned as "General Rural" under the Pima County Zoning Ordinance. However, it is understood the county has now under consideration the classification of such district as "Suburban Ranch" to meet the situation which may be created by this order with respect to the subdivision of such lands in small tracts for home site purposes. The County Zoning Inspector for Pima County at 89 North Court Street, Tucson, Arizona, may be consulted for precise information as to the requirements under zoning restrictions which may be applicable to the tracts covered by this order. Examples of requirements for home construction in districts zoned as "General Rural" and "Suburban Ranch" are:

A. Maximum building height: 2-story or 30 feet.

B. Set backs: Front yard—30 feet, general rural; 50 feet, suburban ranch. Side yard—10 feet. Rear yard—40 feet, general rural; 50 feet, suburban ranch.

C. Detached accessory buildings: Not over 20 feet high or closer than 7 feet to main building nor 60 feet to front lot line (or right-of-way line as provided in paragraph 13 below of this order) as to general rural, and 100 feet as to suburban ranch.

The Bureau of Land Management wants to encourage no shack-town or rural-slum type of subdivision. Nor, on the other hand, does it wish to set the standards so high that only a person of wealth could comply with construction requirements. As a minimum, each lessee, before he may exercise the option to purchase, must build a habitable house of substantial construction of at least three rooms containing a minimum floor area of 500 square feet. Upon completion of the house, and at time of filing application to purchase, the lessee should submit one or more snap shots or other photographs showing one side and one end of the house. Uncompleted houses will not be approved as meeting the requirements.

12. The tracts, if any, which are not leased as a result of the drawing, will not become subject to applications by veterans who do not participate in the drawing, or by the general public, until a further order has been issued granting veterans of World War II a preference right of application for a period of 90 days.

13. Tracts will be subject to all existing rights-of-way and to 33-foot rights-of-way for road purposes and public utilities as follows:

A. Section 10: (a) Along west boundary of Lots 15 to 18, 47 to 50, 79 to 82, 111 to 114, inclusive.

(b) Along south boundaries of Lots 5 to 14, 16, 33 to 46, 48, 65 to 73, 83, 97 to 110, 112.

(c) Along north boundaries of Lots 17, 19 to 23, 49, 51 to 64, 81, 83 to 96, 113, 115 to 123.

(d) Along east boundaries of Lots 9, 24, 34, 41, 50, 63, 69, 73, 83, 95, 98, 105, 120, 127.

(e) Along west boundaries of Lots 8, 25, 33, 40, 57, 64, 65, 72, 89, 98, 97, 104, 121, 123.

B. Section 11: (a) Along east boundaries of W $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

(b) Along west boundaries of E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

(c) Along south boundary of N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$.

(d) Along north boundary of S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$.

C. Section 14: (a) Along east boundaries of Lots 2, 4, 5, and 7.

(b) Along west boundaries of Lots 1, 3, 6, and 8.

(c) Along south boundaries of Lots 2 and 3.

(d) Along north boundaries of Lots 6 and 7.

Such rights-of-way may be utilized by the Federal or State governments, or the county or municipality in which they are situated, or by any agency thereof. The set-backs provided for above (see paragraph 11 above of this order) will be measured from the rights-of-way line, rather than from the lot line, where such rights-of-way have been designated herein.

14. Lessees will be furnished one copy of this classification order together with one copy of location plat and diagram of tract layouts. Applicants may purchase copies of the official supplemental lotting plats of the lands in Secs. 10 and 14 from the Land and Survey Office, Phoenix, Arizona, for \$1 for each sheet. There is no official supplemental plat showing any small tract lotting in Sec. 11.

15. All inquiries relating to applications and leases for these lands should be addressed to the Manager, Land and Survey Office, Bureau of Land Management, Room 243, Main Post Office Bldg., Phoenix, Arizona.

E. R. SMITH,
Regional Administrator.

[F. R. Doc. 53-9200; Filed, Oct. 23, 1953;
8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6491]

WISCONSIN MICHIGAN POWER CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING ACQUISITION AND MERGER OR CONSOLIDATION OF FACILITIES

OCTOBER 26, 1953.

Notice is hereby given that on October 23, 1953, the Federal Power Commission issued its order adopted October 22, 1953, in the above-entitled matter, authorizing and approving acquisition and merger or consolidation of facilities of the Kingsford Plant, effective upon the issuance of license to Wisconsin Michigan Power Company and Kingsford Chemical Company, Project No. 2131, and payment, by Kingsford Chemical Company, of the annual charges due.

[SEAL]

J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 53-9190; Filed, Oct. 23, 1953;
8:50 a. m.]

[Docket Nos. E-6493, E-6494]

MALDEN ELECTRIC CO. ET AL.

NOTICE OF ORDERS AUTHORIZING AND APPROVING DISPOSITION, ACQUISITION AND MERGER OR CONSOLIDATION OF FACILITIES

OCTOBER 26, 1953.

In the matters of Malden Electric Company Suburban Gas and Electric Company, New England Power Company, Docket No. E-6493; Beverly Gas and Electric Company, Gloucester Electric Company, Salem Electric Light Company, Essex County Electric Company New England Power Company, Docket No. E-6494.

Notice is hereby given that on October 23, 1953, the Federal Power Commission issued its orders adopted October 22, 1953, authorizing and approving disposition, acquisition and merger or consolidation of facilities in the above-entitled matters.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 53-9191; Filed, Oct. 29, 1953;
8:50 a. m.]

[Docket No. E-6527]

IOWA POWER AND LIGHT CO.

NOTICE OF APPLICATION

OCTOBER 23, 1953.

Take notice that on October 22, 1953, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Iowa Power and Light Company, a corporation organized under the laws of the State of Iowa and doing business in said State with its principal business office in Des Moines, Iowa, seeking an order authorizing the issuance of not more than \$8,000,000 principal amount of unsecured notes of not more than one year's maturity, to be issued to commercial banking institutions to evidence loans made by the latter to applicant. Said notes will bear interest at prime rates in force from time to time. Applicant proposes to recall all notes or renewals represented all short-term borrowings which have been effected on or subsequent to June 15, 1953 and replace them with new notes; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application, should on or before the 6th day of November 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 53-9164; Filed, Oct. 29, 1953;
8:45 a. m.]

[Docket No. E-6528]

IOWA POWER AND LIGHT CO.

NOTICE OF APPLICATION

OCTOBER 26, 1953.

Take notice that on October 22, 1953 an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Iowa Power and Light Company, a corporation organized under the laws of the State of Iowa and doing business in said State with its principal business office in Des Moines, Iowa, seeking an order authorizing the issuance of \$8,500,000 principal amount of First Mortgage Bonds — percent Series due 1983 and 50,000 shares of — percent Cumulative Preferred Stock of the par value of \$100.00 per share. Applicant proposes to issue said Bonds under competitive bidding, and applicant requests an exemption from the competitive bidding requirements of the Commission's rules with respect to the issuance and sale of its said Cumulative Preferred Stock; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application, should on or before the 13th day of November 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 53-9165; Filed, Oct. 29, 1953;
8:45 a. m.]

[Docket Nos. G-1767, G-2047]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF ORDER AFFIRMING INITIAL DECISION

OCTOBER 26, 1953.

Notice is hereby given that on October 23, 1953, the Federal Power Commission issued its order adopted October 21, 1953, in the above-entitled matters, affirming initial decision of the Presiding Examiner issued in said dockets.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 53-9192; Filed, Oct. 29, 1953;
8:50 a. m.]

[Docket No. G-2141]

SOUTHERN NATURAL GAS CO.

ORDER POSTPONING DATE OF HEARING AND MODIFYING ORDER FIXING DATE OF HEARING

The Commission, by order issued October 19, 1953, fixed date of hearing to commence on November 9, 1953, concerning the lawfulness of the rates, charges, classifications and services contained in Southern Natural Gas Company's FPC Gas Tariff, First Revised Volume No. 1, as proposed to be amended by First Re-

vised Sheets Nos. 5, 9, 13, 28, 31, 34, and 36-B and Second Revised Sheets Nos. 16, 20 and 24. That order also directed that Southern Natural, on or before November 2, 1953, serve upon all parties copies of the testimony and exhibits it proposes to offer at the hearing.

On October 23, 1953, Southern Natural filed a request that the hearing in this matter be postponed to November 12, 1953. Southern Natural states that the compilation of data of a more recent period than that contained in its rate filing, as requested by the Staff, makes it impossible to prepare the written testimony required by the order issued October 19, 1953, within the time remaining before hearing.

The Commission orders:

(A) The date of public hearing fixed by paragraph (A) of the order issued October 19, 1953, in this matter, to commence November 9, 1953, hereby is postponed to November 12, 1953, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D. C.

(B) Paragraph (C) of the order issued October 19, 1953, in this matter is modified to the extent that Southern Natural shall not be required to file written testimony, and on or before November 5, 1953, shall serve upon all parties copies of the exhibits it proposes to offer at the hearing, including five (5) copies upon Commission Staff Counsel.

(C) Except as herein modified, the order issued October 19, 1953, in this matter, shall remain in full force and effect.

Adopted: October 23, 1953.

Issued: October 26, 1953.

By the Commission.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 53-9194; Filed, Oct. 29, 1953;
8:50 a. m.]

[Docket No. G-2142]

LAWRENCEBURG GAS CO.

NOTICE OF ORDER DISMISSING APPLICATION

OCTOBER 26, 1953.

Notice is hereby given that on October 22, 1953, the Federal Power Commission issued its order adopted October 21, 1953, dismissing without prejudice the application for transfer of certificate of public convenience and necessity to the Lawrenceburg Gas Transmission Company, in the above-entitled matter.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 53-9193; Filed, Oct. 29, 1953;
8:50 a. m.]

[Docket No. G-2270]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

OCTOBER 26, 1953.

Take notice on October 9, 1953, El Paso Natural Gas Company (Applicant), a Delaware corporation with its principal office in El Paso, Texas, filed an applica-

tion with the Federal Power Commission for an order pursuant to section 7 of the Natural Gas Act authorizing the abandonment and retirement of certain natural gas pipeline facilities in Midland County, Texas, hereinafter described.

Applicant proposes the abandonment and retirement of the southern 11 miles of a 12¾-inch pipeline extending 14 miles in a southerly direction from the outlet of Applicant's Tex-Harvey Compressor Station to a point of connection with Applicant's Sweetie Peck-Pegasus pipeline. The remaining 3 miles of line would be used to deliver gas to a 30-inch line of Permian Basin Pipeline Company for transportation to Applicant's Plains compressor station. Applicant states that the proposed abandonment will not result in curtailment of service to any of its customers, and that it is part of a plan of rearrangement of facilities to provide for greater flexibility of operations.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 13th day of November 1953. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 53-9166; Filed, Oct. 29, 1953;
8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10534, 10535]

SOUTH BEND BROADCASTING CORP. AND
MICHIANA TELECASTING CORP.

ORDER AMENDING ISSUES

In re applications of South Bend Broadcasting Corporation, South Bend, Indiana, Docket No. 10534, File No. BPCT-1012; Michiana Telecasting Corporation, Notre Dame, Indiana, Docket No. 10535, File No. BPCT-1431, for television construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of October 1953;

"The Commission having under consideration a number of pleadings¹ concerning (1) a request by Michiana Tele-

casting Corporation that the Commission delete from its order of designation in this proceeding issues with respect to Michiana's financial and technical qualifications, and (2) a request by South Bend Broadcasting Corporation that the Commission retain those issues and in addition add an issue with respect to the legal qualifications of Michiana,

It appearing, that, in its order of June 3, 1953, the Commission designated the application of Michiana Telecasting Corporation for hearing, one of the issues being a financial issue raised by its failure to submit with its application a copy of a guaranty from the University of Notre Dame to Michiana, which guaranty was an essential element of its financial proposal, and that the Commission also designated an issue to determine whether Michiana proposed an antenna which would constitute a hazard to air navigation; and

It further appearing, that by an amendment to its application granted on June 19, 1953 Michiana supplied the above-mentioned guaranty, thus rendering unnecessary further inquiry into its financial qualifications; and

It further appearing, that South Bend Broadcasting Corporation requests the retention of the financial issue with respect to Michiana and the addition of an issue relating to the legal qualifications of that applicant on the ground that the University of Notre Dame allegedly has no legal authority either to enter into a contract of guaranty or to organize a subsidiary which would be a licensee of a commercial television station, but that no convincing showing has been made by South Bend in support of these allegations; and

It further appearing, that South Bend contends that the Notary Public's acknowledgment to the Articles of Incorporation submitted by Michiana was void because of the date of expiration of the Notary Public's commission shown on the acknowledgment, but that such date was a typographical and inadvertent mistake; and

It further appearing, that Michiana Telecasting Corporation has satisfied the Commission that its proposed tower will not be a hazard to air navigation and that no opposition has been filed to the deletion of the issue with respect to this question; and

It further appearing, that South Bend had questioned the technical qualifications of Michiana by raising a question concerning possible distortion of the radiation pattern of the antenna proposed by Michiana, but that Michiana has since submitted experimental data to resolve this question in its favor; and

It further appearing, that Michiana Telecasting Corporation is therefore legally, financially and technically qualified to construct, own and operate a television broadcast station;

It is ordered, That the above-described request of Michiana Telecasting Corporation is granted, and the above-described request of South Bend Broadcasting Corporation is denied; and

It is further ordered, That the Commission's order of June 3 designating the above-described application of Michiana Telecasting Corporation is modi-

fied by the deletion of the issues with respect to the financial and technical qualifications of that applicant.

Released: October 22, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,
Wm. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9183; Filed, Oct. 23, 1953;
8:49 a. m.]

[Docket No. 10732]

JET BROADCASTING Co., Inc. (WJET)

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of The Jet Broadcasting Company, Inc. (WJET) Erie, Pennsylvania, Docket No. 10732, File No. BP-8739; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of October 1953;

The Commission having under consideration the above-entitled application for a construction permit to change the frequency of Station WJET, Erie, Pennsylvania from 1570kc to 1400kc, and to change hours of operation from daytime only to unlimited time;

It appearing, that the applicant is legally, financially, technically and otherwise qualified to operate Station WJET as proposed but that the proposed operation will cause interference to and receive interference from Station WBNY, Buffalo, New York, and fails to comply with the provisions of the Standards of Good Engineering Practice with respect to coverage of the Erie, Pennsylvania metropolitan district; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the applicant was advised by letter dated June 25, 1953, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that the applicant filed a reply to the aforesaid letter of June 25, 1953, and that the Commission, after due consideration of such reply, is still unable to conclude that a grant of the application would be in the public interest;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled application of the Jet Broadcasting Company is designated for hearing at a time and place to be specified in a subsequent Order upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of populations and areas proposed to be served.

3. To determine whether the operation of Station WJET as proposed would involve objectionable interference with

¹ The pleadings filed in this matter are as follows: (1) Motion to Strike Issues filed June 23, 1953, by Michiana Telecasting Corporation, Opposition to the Motion, filed June 25, 1953, by South Bend Broadcasting Corporation, and Reply to the Opposition, filed by Michiana on July 17, 1953; and (2) Motion to Enlarge Issues, filed June 25, 1953, by South Bend, Opposition to Motion, filed by Michiana on July 16, 1953, Partial Comments of the Chief of the Commission's Broadcast Bureau on the Opposition to the Motion, filed July 24, 1953, Reply to Comments of the Chief of the Broadcast Bureau, filed July 27, 1953, by South Bend, Further Comments of Chief of the Broadcast Bureau, filed August 5, 1953, Supplement to Opposition, filed by Michiana on August 5, 1953, and Reply to Further Comments of the Chief of the Broadcast Bureau, filed by South Bend on August 14, 1953.

Station WBNY, Buffalo, New York, and, if so, the nature and extent thereof, the areas and populations affected thereby, the availability of other primary service to such areas and populations, and the nature and character of the program service now being rendered by Station WBNY to such areas and populations.

4. To determine whether the installation and operation of Station WJET as proposed would be in compliance with the Commission rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to coverage of the Erie, Pennsylvania metropolitan district.

It is further ordered, That Roy L. Albertson, licensee of Station WBNY, Buffalo, New York, is made a party to the proceeding.

Released: October 23, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9187; Filed, Oct. 29, 1953;
8:49 a. m.]

[Docket No. 10733]

SOUTHWESTERN BELL TELEPHONE CO.

ORDER ASSIGNING APPLICATION FOR PUBLIC
HEARING

In the matter of the application of Southwestern Bell Telephone Company, Docket No. 10733, File No. P-C-3326; for a certificate under section 221 (a) of the Communications Act of 1934, as amended, to acquire certain telephone plant and property of Butler Dismen, Nathan Rieger, and Fredda A. Harris, d/b as the Parkville Telephone Company.

The Commission having under consideration an application filed by Southwestern Bell Telephone Company for a certificate under section 221 (a) of the Communications Act of 1934, as amended, that the proposed acquisition by Southwestern Bell Telephone Company of the telephone plant and property of Butler Dismen, Nathan Rieger, and Fredda A. Harris, d/b as the Parkville Telephone Company will be of advantage to the persons to whom service is to be rendered and in the public interest;

It is ordered, This 22d day of October 1953, that pursuant to the provisions of section 221 (a) of the Communications Act of 1934, as amended, the above application is assigned for public hearing for the purpose of determining whether the proposed acquisition will be of advantage to the persons to whom service is to be rendered and in the public interest;

It is further ordered, That the hearing upon said application be held at the offices of the Commission in Washington, D. C., beginning at 10:00 a. m. on the 19th day of November 1953, and that a copy of the order shall be served upon the Southwestern Bell Telephone Company, Butler Dismen, Nathan Rieger, and Fredda A. Harris, d/b as the Parkville Telephone Company, the Governor of the State of Missouri, the Public Service Commission of Missouri and the Postmaster of Parkville, Missouri;

It is further ordered, That within five days after the receipt from the Commission of a copy of this order, the applicant herein shall cause a copy hereof to be published in a newspaper or newspapers having general circulation in Parkville, Missouri, and in Platte and Clay Counties, Missouri, and shall furnish proof of such publication at the hearing herein.

Released: October 23, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9188; Filed, Oct. 29, 1953;
8:49 a. m.]

MUTUALLY EXCLUSIVE TELEVISION
BROADCAST APPLICATIONS

LIST OF CITIES GROUPED IN ACCORDANCE
WITH PRIORITIES ESTABLISHED IN REVISED
TEMPORARY PROCESSING PROCEDURE

OCTOBER 23, 1953.

The attached list is issued pursuant to § 1.371, footnote 10 of the Commission's rules and is based on the considerations set forth in its Public Notice of August 24, 1953 (FCC 53-1086) the date on which the previous bi-monthly list was issued. Inasmuch as October 24, 1953, falls on a Saturday, the attached list is being issued today and is based on notifications with respect to operating stations as of the close of business on October 22, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.

GROUP A

No.	City	Population
1	West Palm Beach, Fla.	43,162
2	Lake Charles, La.	41,272
3	Joplin, Mo.	38,711
4	Cumberland, Md.	37,679
5	Bloom, Miss.	37,425
6	Muskogee, Okla.	37,289
7	Spartanburg, S. C.	36,795
8	Hagerstown, Md.	36,260
9	Enid, Okla.	36,017
10	Alexandria, La.	34,913
11	Fayetteville, N. C.	34,715
12	Ottumwa, Iowa	33,631
13	Paducah, Ky.	32,828
14	Bristol, Tenn.-Va.	32,725
15	Reno, Nev.	32,497
16	Clarksburg, W. Va.	32,014
17	Albany, Ga.	31,155
18	Wausau, Wis.	30,414
19	Jackson, Tenn.	30,207
20	Daytona Beach, Fla.	30,187
21	Odessa, Tex.	29,495
22	Provo, Utah	28,937
23	Grand Forks, N. Dak.	26,836
24	Sharon, Pa.	26,454
25	Rapid City, S. Dak.	25,310
26	Jefferson City, Mo.	25,099
27	El Dorado, Ark.	23,076
28	Flournoy, S. O.	22,513
29	Hastings, Neb.	20,211
30	Beckley, W. Va.	19,307
31	Bogalusa, La.	17,768
32	Modesto, Calif.	17,389
33	Big Spring, Tex.	17,288
34	Klamath Falls, Oreg.	16,875
35	Clearwater, Fla.	15,681
36	Sunbury, Pa.	15,570
37	Mannette, Wis.	14,178
38	Wenatchee, Wash.	13,072
39	El Centro, Calif.	12,590
40	Irwin, Pa.	4,228
41	Henderson, Nev.	3,643
42	Hatfield, Ind.	410

GROUP B

No.	City	Population	Number stations
1	Fort Worth, Tex.	278,778	1
2	Richmond, Va.	230,310	1
3	Jacksonville, Fla.	204,517	1
4	Tulsa, Okla.	182,740	1
5	Charlotte, N. C.	134,042	1
6	Phoenix, Ariz.	106,818	1
7	Huntington, W. Va.	86,353	1
8	Charleston, S. C.	70,174	1
9	Raleigh, N. C.	65,679	1
10	Asheville, N. C.	53,000	1
11	Green Bay, Wis.	52,735	1
12	Fort Smith, Ark.	47,542	1
13	Ft. Worth, Tex.	39,963	1
14	Las Vegas, Nev.	24,621	1
15	Boston, Mass.	801,444	2
16	San Antonio, Tex.	408,442	2
17	Omaha, Neb.	251,117	2
18	San Francisco-Oakland, Calif.	1,159,032	3
19	Minneapolis-St. Paul, Minn.	433,067	3
20	Pittsburgh, Pa.	676,866	3
21	Buffalo-Niagara Falls, N. Y.	671,001	3

[F. R. Doc. 53-9189; Filed, Oct. 29, 1953;
8:50 a. m.]

INTERSTATE COMMERCE
COMMISSION

[4th Sec. Application 28583]

PEANUTS FROM WINDSOR, N. C. TO OFFICIAL, ILLINOIS AND WESTERN TRUNK-LINE TERRITORIES

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent for carriers parties to schedule listed below. Commodities involved: Peanuts, carloads.

From: Windsor, N. C.

To: Points in official, Illinois and western trunk-line territories.

Grounds for relief: Rail competition, circuitry, to maintain grouping, and to apply rates constructed on the basis of the short line distance formula, additional origin.

Schedules filed containing proposed rates; C. A. Spaninger, Agent, I. C. C. No. 887, supp. 139.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 53-9172; Filed, Oct. 29, 1953;
8:47 a. m.]

[4th Sec. Application 23584]

SHALE CINDERS FROM KENLITE, KY., TO
ILLINOIS, INDIANA, AND OHIO

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Cinders, shale, carloads from: Kenlite, Ky.

To: Points in Illinois, Indiana and Ohio.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1315, supp. 32.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 53-9173; Filed, Oct. 29, 1953;
8:47 a. m.]

[4th Sec. Application 28585]

OYSTER SHELL DUST FROM MOBILE, ALA.,
TO NEW ORLEANS, LA.

APPLICATION FOR RELIEF

OCTOBER 27, 1953.-

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for Gulf, Mobile and Ohio Railroad Company, and the New Orleans and North-eastern Railroad Company.

Commodities involved: Oyster shell dust, carloads

From: Mobile, Ala.

To: New Orleans, La.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1315, supp. 32.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission

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in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 53-9174; Filed, Oct. 29, 1953;
8:47 a. m.]

[4th Sec. Application 28586]

BOARDS, BUILDING, FROM NEW ORLEANS,
MARRERO AND CHALMETTE, LA., TO
NORTHFIELD AND SKOKIE, ILL.

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 418, pursuant to fourth-section order No. 16101.

Commodities involved: Boards, building, wall and insulating; viz. fibreboard, pulpboard or strawboard and wood combined, carloads.

From: New Orleans, Marrero and Chalmette, La.

To: Northfield and Skokie, Ill.

Grounds for relief: Rail competition, circuitous routes and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 53-9175; Filed, Oct. 29, 1953;
8:47 a. m.]

[4th Sec. Application 23537]

GRAIN AND GRAIN PRODUCTS FROM CENTRAL,
SOUTHWESTERN, AND WESTERN
TERRITORIES TO TEXAS

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3941.

Commodities involved: Grain, grain products and related articles, also seeds, carloads.

From: Points in central, southwestern, and western territories.

To: Points in Texas.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3941, supp. 66.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 53-9176; Filed, Oct. 29, 1953;
8:47 a. m.]

[4th Sec. Application 28583]

SUPERPHOSPHATE FROM THE SOUTH TO
SIOUX FALLS, S. DAK.

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1286.

Commodities involved: Superphosphate (acid phosphate) other than ammoniated, or defluorinated, carloads.

From: Points in the south.

To: Sioux Falls, S. Dak.

Grounds for relief: Rail competition, circuitry, and to apply over short tariff

routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1286, supp. 19.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 53-9177; Filed, Oct. 29, 1953;
8:47 a. m.]

[4th Sec. Application 28589]

LUMBER FROM MISSISSIPPI VALLEY TO
WESTERN POINTS

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3985.

Commodities involved: Lumber and articles taking the same rates, carloads.

From: Points in Arkansas, Louisiana, Mississippi, and Tennessee.

To: Points in Colorado, Iowa, Nebraska, Utah, and Wyoming.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates; F. C. Kratzmeir's tariff I. C. C. No. 3985, supp. 33.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon

a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 53-9178; Filed, Oct. 29, 1953;
8:47 a. m.]

[4th Sec. Application 28590]

SUGAR FROM CALIFORNIA TO STATIONS IN
EAST ST. LOUIS, ILL., AND ST. LOUIS, MO.,
SWITCHING DISTRICTS

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. J. Prueter, Agent, for carriers parties to his tariff I. C. C. No. 1552.

Commodities involved: Sugar, beet or cane, carloads.

From: Points in California.

To: Stations in the East St. Louis, Ill., and St. Louis, Mo., switching districts.

Grounds for relief: Competition with rail carriers, circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: W. J. Prueter's tariff I. C. C. No. 1552, supp. 52.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 53-9179; Filed, Oct. 29, 1953;
8:48 a. m.]

[4th Sec. Application 28591]

GRAIN AND GRAIN PRODUCTS FROM KANSAS
CITY AND ST. JOSEPH, MO., AND LEAVEN-
WORTH, KANS., TO IOWA

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. J. Prueter, Agent, for Cedar Rapids and Iowa City Railway Company and other carriers.

Commodities involved: Grain, grain products, seeds, and related articles, carloads.

From: Kansas City and St. Joseph, Mo., and Leavenworth, Kans.

To: Stations in Iowa on the Cedar Rapids and Iowa City Railway.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: W. J. Prueter's tariff I. C. C. No. A-3866, supp. 46.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 53-9180; Filed, Oct. 29, 1953;
8:48 a. m.]

[4th Sec. Application 28592]

SCRAP IRON FROM EAST ST. LOUIS, ILL., AND
ST. LOUIS, MO., TO BIRMINGHAM, ALA.

APPLICATION FOR RELIEF

OCTOBER 27, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for the Missouri Pacific Railroad Company, St. Louis Southwestern Ry. Co., and other carriers, pursuant to fourth-section order No. 16101.

Commodities involved:

Scrap iron or steel, carloads.

From: East St. Louis, Ill., and St. Louis, Mo.

To: Birmingham, Ala.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise

the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 53-9181; Filed, Oct. 29, 1953;
8:48 a. m.]

HOUSING AND HOME FINANCE AGENCY

Federal Housing Administration

FIELD ORGANIZATION

MISCELLANEOUS AMENDMENTS

The following entries in section 22 (b) (5) are amended as indicated:

1. Opposite "Des Moines, Iowa" delete the address "Equitable Bldg., 604 Locust Street" and in lieu thereof insert "Valley Bank Bldg., 300 Fourth Street."

2. Under the State of Kansas and following "Topeka" delete: "Wichita (1) Wheeler Kelly Hagny Bldg. (See Topeka) "

3. Under the State of Michigan and following "Detroit" delete: "Flint (1), 432 N. Saginaw St. (See Detroit) "

4. Opposite "Albany, New York" under the column headed "Jurisdiction" revise the wording to read "Counties north of Orange, Westchester and Putnam and east of Wayne, Seneca, Tompkins and Broome."

5. Under the State of New York and following "Buffalo" insert:

City	Address	Jurisdiction
Jamaica ¹	89-67 162d Street.	Counties of Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, and Westchester.

¹ The Jamaica insuring office will handle home mortgage insurance cases only; rental project mortgage insurance cases will continue to be handled at the New York, N. Y., insuring office.

6. Opposite "New York, New York" under the column headed "Jurisdiction" revise the wording to read "Counties south of Sullivan, Dutchess and Ulster."

7. Under the State of North Carolina and following "Greensboro" delete: "Charlotte (1) 109 W Third Street, (See Greensboro) "

8. Under the State of Ohio and following "Columbus" delete: "Dayton (1), 413 Realty Bldg., (See Cincinnati) "

OSBORNE KOERNER,
Director
Administrative Services.

OCTOBER 26, 1953.

[F. R. Doc. 53-9167; Filed, Oct. 29, 1953;
8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-104, 59-14]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

ORDER APPROVING PART OF TRUSTEE'S PLAN AND DISAPPROVING PLAN FILED BY PREFERRED STOCKHOLDER

SEPTEMBER 30, 1953.

Bartholomew A. Brickley, Trustee of International Hydro-Electric System ("IHES") a registered holding company, having filed an amended plan pursuant to section 11 (d) of the Public Utility Holding Company Act of 1935, Part III of which plan (1) provides for the retirement of IHES' outstanding cumulative preferred stock, \$3.50 series, \$50 par value ("preferred stock") by the issuance to the holders thereof, for each share held, of 5½ common shares of Gatineau Power Company together with a payment in an amount equal to any net dividends paid on the applicable Gatineau stock in excess of the amount of quarterly payments in liquidation paid on the preferred stock after April 15, 1953, to the effective date of the exchange, and (2) provides for the nomination and election of a new board of directors of IHES;

John Vanneck, a preferred stockholder of IHES, having filed a plan for the retirement of the preferred stock on a basis different from that proposed in the aforesaid plan of the Trustee, together with an application for its approval;

Public hearings having been duly held after appropriate notice at which all interested persons were afforded an opportunity to be heard, briefs having been filed and oral argument having been heard;

The Commission having considered the record and having found, for reasons to be set forth in its findings and opinion to be issued, that the aforesaid plan filed by the Trustee affords an appropriate means for compliance with section 11 (b) (2) of the act and is fair and equitable, and that the plan filed by John Vanneck is not fair and equitable;

It is ordered, That Part III of the amended plan filed pursuant to section 11 (d) by Bartholomew A. Brickley, Trustee of IHES, be, and it hereby is approved.

It is further ordered, That the plan filed by John Vanneck be and it hereby is disapproved and the application requesting its approval be, and it hereby is, denied.

It is further ordered, That jurisdiction be and it hereby is reserved to entertain such further proceedings, enter such further orders and take such further action as may be necessary or appropriate in connection with the amended plan, the transactions incident thereto and the consummation thereof.

By the Commission.

[SEAL] ORVAL F. DuBOIS,
Secretary.

[F. R. Doc. 53-9169; Filed, Oct. 29, 1953;
8:46 a. m.]

[File No. 70-2323]

ELECTRIC BOND AND SHARE CO.

ORDER RELEASING JURISDICTION WITH RESPECT TO LEGAL FEE

OCTOBER 26, 1953.

The Commission, by its order dated November 6, 1952, Holding Company Act Release No. 11574, having permitted the declaration to become effective of Electric Bond and Share Company ("Bond and Share") a registered holding company, concerning the disposition by Bond and Share of 525,036 shares of the common stock of United Gas Corporation, owned by Bond and Share, through a rights offering to the stockholders of Bond and Share; and

Said order of November 6, 1952, having reserved jurisdiction with respect to the fees and expenses of counsel for Bond and Share; and

Simpson, Thacher & Bartlett, counsel for Bond and Share in said matter having filed an affidavit with respect to its services, and having requested a fee in the amount of \$3,500, and having also requested that jurisdiction heretofore reserved with respect thereto be released; and

It appearing to the Commission that the requested fee of \$3,500 for services rendered in connection with said rights offering is not unreasonable, and it being the view of the Commission that such fee shall be considered in connection with any request for allowance by Simpson, Thacher & Bartlett for services rendered in the Bond and Share plan proceedings:

It is ordered, That jurisdiction heretofore reserved herein with respect to the fee of Simpson, Thacher & Bartlett be, and the same hereby, is released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-9171; Filed, Oct. 29, 1953;
8:46 a. m.]

[File No. 70-3111]

ELECTRIC BOND AND SHARE CO.

ORDER RELEASING JURISDICTION WITH RESPECT TO LEGAL FEE

OCTOBER 26, 1953.

The Commission, by order dated July 20, 1953, having granted the application of Electric Bond and Share Company ("Bond and Share") a registered holding company, concerning the acquisition by Bond and Share of its proportionate amount of stock to be offered by United Gas Corporation to its stockholders pursuant to a rights offering; and

Simpson, Thacher & Bartlett, counsel for Bond and Share in said matter, having filed an affidavit of services rendered and having requested a fee in the amount of \$1,500 and the release of jurisdiction with respect thereto; and

It appearing to the Commission that such fee is not unreasonable, and it being the view of the Commission that any such fee should be considered in connection

with any application for allowance to be filed by Simpson, Thatcher & Bartlett in connection with the Bond and Share plan proceedings:

It is ordered, That jurisdiction theretofore reserved herein with respect to the fee of Simpson, Thatcher & Bartlett be, and the same hereby, is released.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-9170; Filed, Oct. 29, 1953;
8:46 a. m.]

[File No. 812-819]

TONOPAH MINING CO. OF NEVADA

NOTICE OF FILING CONCERNING APPLICATION REQUESTING EXEMPTION FOR CERTAIN TRANSACTIONS BETWEEN AFFILIATES

OCTOBER 26, 1953.

Notice is hereby given that The Tonopah Mining Company of Nevada ("Tonopah") a registered closed-end, nondiversified management investment company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 ("act") for an order exempting the following transactions from the prohibitions contained in section 17 (a) of the act:

Tonopah proposes to sell to Mines Incorporated ("Mines") 500,000 shares of the common capital stock of Tonopah Nicaragua Company ("Nicaragua"), representing 40 percent of the outstanding stock of said company, for a cash consideration of \$65,000 and 10,000 shares of the common capital stock of Falconbridge Nickel Mines, Limited ("Falconbridge")

Mines is a Delaware corporation engaged in the mining exploration business. By order dated April 16, 1951 (In-

vestment Company Act Release No. 1606) this Commission approved the sale of 750,000 shares of common capital stock of Nicaragua (representing 60 percent of the latter's outstanding stock) by Tonopah to Mines. Since November 1951, Nicaragua has been under the control of Mines. Nicaragua, a Delaware corporation, has as its only asset its so-called "Rosita" property, a copper-gold-silver mine located in the northeastern portion of the Republic of Nicaragua, Central America, which has not been developed although Tonopah had owned Nicaragua since 1916. Mines is of the opinion, based on the results of tests conducted on samples of ores taken from the Rosita property, that the Rosita property can be operated profitably if an economical process for treating the Rosita ores can be developed. It appears from the filing that the possible exploitation and development of the property would require an investment estimated to range between \$6,000,000 to \$8,000,000. Tonopah represents that it would be unable to furnish the amounts necessary to maintain its present proportionate 40 percent interest, and that it would take some years to realize a return on its investment. Because of the foregoing and for other reasons, the management reached the conclusion that it was in the best interests of the company to dispose of its remaining investment in Nicaragua.

Falconbridge, a Canadian corporation, is engaged in the mining and production of nickel, copper, cobalt, precious metals and platinoids. Its principal properties are located in Canada. For the year ended December 31, 1952, Falconbridge earned 69 cents per share and paid dividends of 50 cents per share. Its stock is traded on the Toronto Stock Exchange; during 1952 the price of its stock ranged from a low of 11½ to a high of 22¾. On October 7, 1953, the closing price of the stock was \$14.50.

All of the Mines common capital stock is owned by Frobisher Limited, a Canadian mining and exploration company. Ventures Limited, also a Canadian corporation, owns 54.2 percent of Frobisher Limited and 26.2 percent of Tonopah. It is represented that none of the officers or directors of Tonopah are officers or directors of Ventures Limited, Mines, Falconbridge or Frobisher Limited, although Ventures Limited does have a representative on the Tonopah board. Tonopah asserts that it is not under the control of Ventures. Since the proposed sale involves the purchase from Tonopah, a registered investment company, of stock of which Tonopah is not the issuer, by Mines, an affiliated person of Ventures Limited, an affiliated person of Tonopah, the transaction appears to be prohibited by the provisions of section 17 (a) unless an exemption therefrom is granted pursuant to section 17 (b).

Notice is further given that any interested person may, not later than November 6, 1953, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 53-9168; Filed, Oct. 29, 1953;
8:46 a. m.]